

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IMRAN KHAN, et al.,

Plaintiffs,

v.

No. 7:20-cv-07561

BOARD OF DIRECTORS OF PENTEGRA
DEFINED CONTRIBUTION PLAN, et al,

Defendants.

PLAINTIFFS' MOTION TO SEAL

In accordance with the Court's Individual Practice 5(B), Plaintiffs seek leave to provisionally seal redacted portions of Plaintiffs' Opposition to Defendants' Motion to Exclude Testimony of Plaintiffs' Experts and Evidence Regarding Sterling Resources Report ("Opposition") and to provisionally file Plaintiffs' Exhibits 1, 2, 6–8, 10–12, 17, 19–21, 23–26 attached to the Declaration of Troy A. Doles ("Declaration") in support of Plaintiffs' Opposition under seal or in redacted form.

In support of this request, Plaintiffs state that the Opposition quotes and cites documents and deposition testimony that have been designated as Confidential pursuant to the terms of the Protective Order (Doc. 121) by the producing parties of that information. The producing parties contend that those materials contain sensitive business and corporate financial information of a competitive nature which would disadvantage the producing party if disclosed. In an effort to reduce the amount of material under seal in this public action, Plaintiffs have made redactions where practicable.

May 17, 2024

Respectfully submitted,

/s/ Troy A. Doles

Troy A. Doles (admitted *pro hac vice*)

Nathan Stump (admitted *pro hac vice*)

Heather Lea (admitted *pro hac vice*)

Kurt Struckhoff (admitted *pro hac vice*)

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CERTIFICATE OF SERVICE

I hereby certify that, on May 17, 2024, a copy of the foregoing was served via email on Defendants' counsel of record.

By: /s/ Troy A. Doles

Application granted, however, Plaintiffs shall, by May 24, 2024, file under seal the unredacted version of the opposition papers with the redactions highlighted in compliance with the Court's Individual Practices. The unredacted documents filed on May 17, 2024 without the requisite highlighting (Doc. 235) shall remain under seal.

SO ORDERED.



Philip M. Halpern
United States District Judge

Dated: White Plains, New York
May 20, 2024